

City of Sheboygan
2015-01-19

9SRU6T55E706

TWENTIETH REGULAR COMMON COUNCIL MEETING - 6:00 PM

"PROGRESS IS IMPOSSIBLE WITHOUT CHANGE, AND THOSE WHO CANNOT CHANGE THEIR MINDS CANNOT CHANGE ANYTHING"~ George Bernard Shaw

Notice of the 20th meeting of the 2014-2015 Common Council at 6:00 p.m., MONDAY, JANUARY 19, 2015, in the Council Chambers of City Hall. Persons with disabilities who need accommodations to attend the meeting should contact the City Clerk's Office, at 828 Center Ave., Susan Richards, at 459-3361, as soon as possible

1. OPENING OF MEETING

- 1.1 ROLL CALL
- 1.2 PLEDGE OF ALLEGIANCE
- 1.3 APPROVAL OF MINUTES

ATTACHMENT: Council minutes 01-05-2014.pdf

- 1.4 RESIGNATIONS
- 1.5 COUNCIL APPOINTMENTS
- 1.6 CONFIRMATION OF COUNCIL APPOINTMENTS
- 1.7 PUBLIC FORUM
- 1.8 MAYOR'S ANNOUNCEMENTS

2. HEARING

2.1 A Hearing for the Final Resolution regarding Industrial Development Revenue Bond Financing for Polyfab Corporation Project.

ATTACHMENT: HEARING.pdf

3. CONSENT AGENDA

3.1 MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES.

3.2 An R. O. by City Clerk submitting the Sheboygan County Humane Society's Form 990 Return of Organization Exempt from Income Tax for 2013. ACCEPT AND FILE.

ATTACHMENT: Humane Society.pdf

3.3 An R. O. by City Clerk submitting various license applications. ACCEPT AND FILE.

ATTACHMENT: 1 mtg. RO.pdf

3.4 An R. O. by the Bd. of Contractors' Examiners submitting Building Contractor Licenses which have been granted. ACCEPT AND FILE

ATTACHMENT: BOARD OF CONTRACTORS.pdf

3.5 An R. O. by the City Plan Commission to whom was referred Res. No. 127-14-15 by Ald. Belanger approving the 2015-2019 Consolidated Plan for the Housing and Community Development utilizing Community Development Block Grant (CDBG); recommends that the Resolution be passed. ACCEPT AND FILE AND PASS RESOLUTION

ATTACHMENT: updated Res 127.pdf

3.6 A Resolution by Ald. Hammond, Belanger, Carlson, Donohue and Kath authorizing the City of Sheboygan to retain room tax revenue from the Blue Harbor Resort for payment of the convention center debt not previously covered by room tax receipts. PASS THE RESOLUTION.

ATTACHMENT: Room tax.pdf

3.7 An R. C. No. by Law and Licensing to whom was referred, pursuant to R. O. No. 202-14-15 recommends granting various licenses (Abraham) ACCEPT AND ADOPT.

ATTACHMENT: RO 202.pdf

3.8 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 214-14-15 recommends granting various licenses (Frias). ACCEPT AND ADOPT.

ATTACHMENT: RO 214.pdf

3.9 An R. C. by Public Works to whom was referred R. O. No. 197-14-15 submitting a communication from John Verhage requesting a two (2) year extension from hooking up to the mini-storm sewer adjacent to his property at 3814 S. 17th Place; recommends that the Report of Officer be accepted and placed on file and the 2 year extension be approved. ACCEPT AND ADOPT.

ATTACHMENT: RO 197.pdf

3.10 An R. C. by Public Works to whom was referred Res. No. 125-14-15 authorizing the acceptance of a conveyance of rights in land for the Taylor Dr. (Kohler Memorial Dr. to Crocker Ave.) Pedestrian/Bike Trail; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RES 125.pdf

3.11 An R. C. by Public Protection and Safety to whom was referred R. O. No. 194-14-15 submitting a communication from Ald. Hermann requesting that an ordinance be drafted to limit the number of extensions the Building Inspection Department grants to homeowners who need to comply with regulations and proposes two extensions per year; recommends that the document be placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RO 194.pdf

3.12 An R. C. by Public Protection and Safety to whom was referred R. O. No. 204-14-15 submitting a communication from Acuity Insurance requesting that they be assigned 2800 S. Taylor Dr. as their physical street address; recommends that the document be placed on file and to approve the request. ACCEPT AND ADOPT.

ATTACHMENT: RO 204.pdf

3.13 An R. C. by Public Protection and Safety to whom was referred R. O. No. 215-14-15 and Res. No. 132-14-15 submitting costs for the purchase of 5 Police Department patrol vehicles and 1 four-door sedan for administrative use; recommends that the Report of Officer be placed on file and the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: RO 215.pdf

3.14 An R. C. by Public Protection and Safety to whom was referred R. O. No. 217-14-15 submitting the report for the Building Inspection Department for the months of September and November 2014; recommends that the document be approved. ACCEPT AND ADOPT.

ATTACHMENT: RO 217.pdf

3.15 An R. C. by Salaries and Grievances to whom was referred Res. No. 88-14-15 approving certain Human Resource Department procedures; recommends that the Resolution be passed with revised Procedures HR101-2014 and HR 105. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 88.pdf

3.16 An R. C. by Finance to whom was referred R. O. No. 211-14-15 submitting a claim from Joel Brunnbauer for alleged damages to his truck when DPW workers were grinding the brush pile at the drop off site and debris flew out and hit his truck; recommends that the document be placed on file and to pay the claim in the amount of \$541.80. ACCEPT AND ADOPT.

ATTACHMENT: RO 211.pdf

3.17 An R. C. by Finance to whom was referred R. O. No. 212-14-15 submitting a claim from Chong Yang for alleged damages to his door into his apartment when police or firemen forced entry when they could not get into the apartment; recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance. ACCEPT AND ADOPT.

ATTACHMENT: RO 212.pdf

3.18 An R. C. by Finance to whom was referred R. C. No. 350-13-14 by Finance and R. O. No. 245-12-13 by City Clerk submitting a claim from Clifford Ehrenreich for alleged injuries due to excessive force resulting from a misunderstanding with Police/End Zone personnel; recommends that R. O. No. 245-12-13 be placed on file. ACCEPT AND ADOPT.

ATTACHMENT: RC 350.pdf

3.19 An R. C. by Finance to whom was referred R. O. No. 172-14-15 submitting a claim from Luciano Gallego for alleged damages to his vehicle when he was parked at his home address and a City truck struck his car; recommends that the document be placed on file and to pay the claim in the amount of \$1,547.75. ACCEPT AND ADOPT.

ATTACHMENT: RO 172.pdf

3.20 An R. C. by Finance to whom was referred R. O. No. 210-14-15 submitting a claim from Mary Bogart for alleged damages to her vehicle when a snow plow came into her lane and hit her car; recommends that the claim be denied and to direct the City Attorney send a Notice of Disallowance. ACCEPT AND ADOPT.

ATTACHMENT: RO 210.pdf

3.21 An R. C. by Finance to whom was referred R. O. No. 207-14-15 by Purchasing Agent and Res. No. 128-14-15 by Ald. Hammond submitting bids for the removal and disposal of materials containing asbestos and lead paint prior to demolition as required by the DNR; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: ro 207.pdf

3.22 An R. C. by Finance to whom was referred Res. No. 123-14-15 by Ald. Hammond authorizing entering into a contract for engineering services and project management services for Fiber Optic Network. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RES 123.pdf

4. REPORTS OF OFFICERS

4.1 An R. O. by the City Clerk submitting a communication from David Albright, Coordinator of Facilities Services, Sheboygan Area School District, regarding Jefferson Elementary School Parking issues. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: Albright.pdf

4.2 An R. O. by Director of Planning and Development Chad Pelishek, submitting the 2014 year-end reports of the Building Inspection Division. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: Bldg. Insp. year end report.pdf

4.3 An R. O. by the Chief of Police submitting his quarterly report showing activities of the Police Dept. for the period commencing 10/1/14 and ending 12/31/14. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: CHIEF OF POLICE.pdf

4.4 An R. O. by the City Clerk submitting a communication from Faye Reinwand requesting a change of parking regulations on her block near Memorial Hospital. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: REINWAND.pdf

4.5 An R. O. by the City Clerk submitting the Building Inspection Department's report for the month of December 2014. PUBLIC PROTECTION AND SAFETY

ATTACHMENT: BUILDING INSPECTION DECEMBER.pdf

4.6 An R. O. by the City Clerk submitting a Summons and Complaint in the matter of Coretta E. Munoz vs. the City of Sheboygan et al. FINANCE

ATTACHMENT: SUMMONS AND COMPLAINT MUNOZ.pdf

4.7 An R. O. by City Clerk submitting a communication from Benjamin Baumann requesting a waiver from the Sex Offender Residency Restrictitons in order to live at 2526 S. 8th St., #4. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: RO baumann.pdf

5. RESOLUTIONS

5.1 A Resolution by Ald. Hammond authorizing retaining outside legal counsel to represent the City in the matter of Daniel Gilbertson et al. v. City of Sheboygan and authorizing payment for said services. SUSPEND AND PASS THE RESOLUTION.

ATTACHMENT: Daniel Gilbertson.pdf

5.2 A Resolution by Ald. Heidemann authorizing advertising for bids for the concrete paving of S. 32nd Street (Crocker Avenue to Washington Avenue). PUBLIC WORKS.

ATTACHMENT: res - paving.pdf

5.3 A Resolution by Ald. Heidemann authorizing entering into contract with Century Fence Company of Pewaukee for the purposes of supplying and installing new chain link fence at Wildwood Athletic Park for softball field Two and Three. PUBLIC WORKS

ATTACHMENT: CENTURY FENCE.pdf

5.4 A Resolution by Ald. Heidemann authorizing entering into agreement with Mid-Lake Softball Organization, Inc., and the City of Sheboygan for operation and management of the Wildwood Softball Complex. PUBLIC WORKS

ATTACHMENT: MIDLAKE SOFTBALL.pdf

5.5 A Resolution by Ald. Donohue adopting the revised City of Sheboygan Compensation Program for Non-Represented Employees. SALARIES AND GRIEVANCES.

ATTACHMENT: Res - compensation.pdf

ATTACHMENT: Non Rep Comp Plan 2015.pdf

5.6 A Resolution by Ald. Hammond authorizing the appropriate City Officials to enter into an amended Tourism Promotion & Development and Events Management Agreement between the City of Sheboygan and Sheboygan County Chamber of Commerce. FINANCE.

ATTACHMENT: newest Tourism Agmt.pdf

5.7 A Resolution by Ald. Hammond authorizing the REDEMPTION OF GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2006A. FINANCE

ATTACHMENT: REDEMPTION.pdf

6. REPORTS OF COMMITTEES

6.1 An R. C. by Law and Licensing to whom was referred, pursuant to R. O. No. 193-14-15 submitting license applications; recommends that Taxicab Driver's License #0621 be denied based upon her failure to accurately reveal all relevant convictions on her taxicab driver's license application, her record of violations related to the licensed activity, and her record as a repeat law violator. ACCEPT AND ADOPT.

ATTACHMENT: RO 193.pdf

6.2 An R. C. by Salaries & Grievances to whom was referred R. C. No. 215-14-15 by Com. of the Whole and R. O. No. 178-14-15 by the City Clerk submitting a communication from Ald. Bohren regarding revising the Chief Administrative Officer's job description; recommends that the attached

Ordinance with an updated job description be passed. ACCEPT AND ADOPT AND PASS ORDINANCE WITH UPDATED JOB DESCRIPTION

ATTACHMENT: RC 215.pdf

6.3 An R. C. by Finance to whom was referred Res. No. 129-14-15 by Ald. Hammond being a Final Resolution regarding Industrial Development Revenue Bond Financing for Polyfab Corporation Project; recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 129.pdf

6.4 An R. C. by Finance to whom was referred Res. No. 130-14-15 by Ald. Hammond authorizing a transfer of appropriations in the 2015 Budget (establish revenue and appropriation for proceeds from the estate of Carol Butzen); recommends that the Resolution be passed. ACCEPT AND ADOPT AND PASS THE RESOLUTION.

ATTACHMENT: Res 130.pdf

6.5 An R. C. by Finance to whom was referred Res. No. 124-14-15 by Ald. Hammond authorizing accepting an offer to purchase Armory Building and a portion of the Armory parcel; recommends that the Res. 124-14-15 be placed on file and as a result of the determination of the Historic Preservation/Housing Rehabilitation Commission, the Committee recommends that the staff draft and execute a counter offer to SEAS factoring in the necessary changes as a result of the 90 day delay of the demolition. ACCEPT AND ADOPT

ATTACHMENT: RES 124.pdf

6.6 An R. C. by Finance to whom was referred R. O. No. 208-14-15 and Res. No. 131-14-15 by Ald. Hammond authorizing into a 7 year lease/purchase agreement for the remount and refurbishing of 3 existing ambulance bodies onto new chassis and the purchase of 1 pre-owned 2008 model ambulance with 2,000 miles. ACCEPT AND ADOPT AND PASS RESOLUTION

ATTACHMENT: RO 208.pdf

7. ORDINANCES

7.1 An Ordinance by Ald. Carlson amending the Municipal Code so as to exempt state certified dwelling contractors performing work on one and two-family dwellings from the provisions of Division 3 of Article II of Chapter 26. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: dwelling contractors.pdf

7.2 An Ordinance by Ald. Donohue amending Section 82-33 of the Sheboygan Municipal Code so as to add the Maywood Environmental Park Director in the Public Works Department for the City of Sheboygan and amend the Maywood Naturalist position on the Table of Organization. SALARIES AND GRIEVANCES.

ATTACHMENT: GO - PARK DIRECTOR.pdf

ATTACHMENT: Job description Maywood.pdf

7.3 An Ordinance by Ald. Carlson amending G. O. No. 27-14-15 so as to amend the parking regulations adjacent to Jefferson Elementary School. PUBLIC PROTECTION AND SAFETY.

ATTACHMENT: parking - Jefferson School.pdf

8. OTHER MATTERS RECEIVED AFTER THE AGENDA WAS POSTED

8.1 An R. O. by the City Clerk submitting various license applications. LAW AND LICENSING

ATTACHMENT: 20ro12.doc

8.2 An R. O. by the City Clerk submitting a claim from Jerome Duenk for alleged damages to his vehicle when a snow plow hit his vehicle. FINANCE

ATTACHMENT: claim Duenk.pdf

ATTACHMENT: RO claim Duenk.pdf

9. CLOSED SESSION

9.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85(1)(g), Wis. Stats., for the purpose of conferring with legal counsel for the City who is rendering oral advice concerning strategy to be adopted by the City with respect to litigation in which it is involved, namely Gilbertson et al. vs City of Sheboygan, Sheboygan County Circuit Court Case No. 14CV792.

10. ADJOURN

10.1 Motion to adjourn

In compliance with Wisconsin's Open Meetings Laws, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

City Hall
Mead Public Library
Sheboygan County Administration Building
City's website